

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 10, 1964
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND O. C. ROBINSON, Austin Baptist Association.

The Mayor and Council greeted and welcomed about 20 students from the 8th Grade Civic Class from St. Austin's School and their teacher Mrs. Martin Tenney.

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF (A) 18.54 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NUMBER 57, AND (B) 0.44 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.
(Colony North, Section 2 and unplatted land)

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in EAST 12TH STREET, from a point 170 feet west of the west property line of Springdale Road westerly 416 feet; the centerline of which underground telephone conduit shall be an average distance of 24 feet south of and parallel to the north property line of said EAST 12TH STREET.
- (2) An underground telephone conduit in SPRINGDALE ROAD, from East 12th Street northerly to the north property line of Ribbecke Avenue; the centerline of which underground telephone conduit shall be an average distance of 28 feet east of and parallel to the base line as established by the Department of Public Works of said SPRINGDALE ROAD.
- (3) An underground telephone conduit crossing WALLY AVENUE; the centerline of which underground telephone conduit shall be 32.5 feet east of and parallel to the base line as established by the Department of Public Works of Springdale Road.
- (4) An underground telephone conduit in SPRINGDALE ROAD, from a point 24 feet south of Leslie Avenue to the centerline of Kitty Avenue; the centerline of which underground telephone conduit shall be an average distance of 26 feet east of and parallel to the base line as established by the Department of Public Works of said SPRINGDALE ROAD.
- (5) An underground telephone conduit in SPRINGDALE ROAD, from the centerline of Kitty Avenue to the centerline of Oak Cliff Drive; the centerline of which underground telephone conduit shall be an average distance of 27 feet east of and parallel to the base line as established by the Department of Public Works of said SPRINGDALE ROAD.
- (6) An underground telephone conduit in SPRINGDALE ROAD, from the centerline of Oak Cliff Drive northerly 320 feet; the centerline of which underground telephone conduit shall be an average distance of 13.5 feet east

of and parallel to the base line as established by the Department of Public Works of said SPRINGDALE ROAD.

- (7) An underground telephone conduit in LESLIE AVENUE, from Springdale Road easterly 63 feet; the centerline of which underground telephone conduit shall be 13 feet north of and parallel to the south property line of said LESLIE AVENUE
- (8) An underground telephone conduit in LESLIE AVENUE, from a point in the south property line of said Leslie Avenue northerly 13 feet; the centerline of which underground telephone conduit shall be 63 feet east of and parallel to the east property line of Springdale Road.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinance and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (South 5th Street)

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS, INCORPORATED, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The City Manager pointed out the City was participating in the difference between an 8" pipe necessary for the subdivision and a 12" pipe which the City is requiring them to install. The City's cost is \$500, and there will be a refund on the 8" pipe.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH JOSEPH A. BARNES, COMMIE ZELL BARNES AND IVY V. SMITH, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BUFORD STEWART AND DON LYDA FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried

by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOT 1 AND THE NORTH 22.4 FEET OF LOT 2, BLOCK 16 OF BROAD ACRES SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (2) (A) TRACT 1: A 2.365 ACRE TRACT OF LAND OUT OF THE J.A.C. BROOKE SURVEY, LOCALLY KNOWN AS 6634-6656 MANOR ROAD AND 3417-3521 LOYOLA LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND (B) TRACT 2: A 3500 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS REAR OF 3503-3507 LOYOLA LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (3) LOT 10, BLOCK 3 OF THE SILVERTON HEIGHTS SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (4) (A) LOT 2-C OF THE RESUBDIVISION OF THE F. O. CULLEN SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND (B) LOT 2-A OF THE RESUBDIVISION OF THE F. O. CULLEN SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (5) THE EAST 34.5 FEET OF LOT 6, BLOCK 116 OF THE ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (6) A 12,300 SQUARE FOOT TRACT OF LAND OUT OF THE JAMES TRAMMELL SURVEY, LOCALLY KNOWN AS 4416 MANCHACA ROAD, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (7) THE NORTH 80 FEET OF LOTS 5 AND 6 OF OUTLOT 150, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND (8) AN 11,378.4 SQUARE FOOT TRACT OF LAND OUT OF OUTLOT 33, DIVISION "C", LOCALLY KNOWN AS REAR OF 3105-3107 WALNUT AVENUE AND REAR OF 2704 MANOR ROAD, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 9 AND 10 OF THE ALBERT R. MOORE SUBDIVISION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

The Council further considered the expansion of Kealing Urban Renewal Area to include Blackshear and Huston-Tillotson Projects. The Mayor announced this would be designated "Blackshear Project". Councilman Long read a letter from people in the area, expressing regrets that their homes would be taken from them, since they had labored so hard to have a home to live in during their old age, and now they were all old and sick and it was not right to have to try to venture out again. They said they did not think it was right to treat the citizens this way, and urged the Council to let them keep their homes. Councilman Long wanted to make a tour of this area and see what all was involved. The

City Attorney reviewed the various steps under the Urban Renewal program, stating the first thing was the area must be found to be a slum or blighted area, that the rest of the people have to support. The Board has made a study and their finding was that 82% or more of the area is a slum or blighted area. It is necessary for the Council to find that to be a fact and declare it; then ask the Urban Renewal Agency to formulate a plan for the redevelopment of the area. The City Manager reported because of the fact the City was in the Community Renewal Program it has to be studied to see if it is compatible with the C.R.P. and that would be done by the staff that works under him, and if they could not certify that it would fit into the C.R.P., the project would be rejected by the Government. Mayor Palmer said the people did vote Urban Renewal, and they do want to go into the project. Many people felt exactly like this group that wrote the letter. In an 80% dilapidated area, it is a costly community situation as far as health, fire, disease, juvenile delinquency and other reasons are concerned. If it is a substandard area and costly to the balance of the public, it is on that determination the Council finally makes its recommendation. Mayor Palmer stated the Council would go by and look at this area. Later in the afternoon meeting, after the Council had made an on-site inspection of the Blackshear Huston Tillotson areas, Councilman LaRue moved that the Blackshear Project be referred to the City Manager. (For study through the Community Renewal Program) The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Present but not voting: Councilman White

No action was taken on the following zoning application:

A. J. and GLADYS SMITH	Tract 1 903-907 Morrow	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
ANDY KIVLIN	Tract 2 901 Morrow	NOT Recommended by the Planning Commission RECOMMENDED "B" Resi- dence 1st Height & Area

The City Manager submitted the following:

City of Austin	"Sealed bids opened November 17, 1964
Bids for	2:00 P.M.
9" Image Intensifier for Brackenridge Hospital	Tabulated by: W.C. Moffett Brackenridge Hospital Purchasing Agent
Wilson X-Ray Austin, Texas	Southern X-Ray Houston, Texas
General Electric Dallas, Texas	Westinghouse X-Ray Houston, Texas
Picker X-Ray Dallas, Texas	
Net	
Price	No Bid
No Bid	\$12,175.00
	(\$10,000.00)*
	\$12,190.00

*Westinghouse acknowledges on their bid that their unit does not meet specifications. Recommend award to General Electric, Dallas, Texas, as submitting lowest and best bid.

"W. T. Williams, Jr.
City Manager"

Councilman Long noted this was not the low bidder, but the other did not meet the specifications. The City Manager read a report on the bids, and described the X-ray device. The tube housing proposed by Westinghouse cannot be attached to the machine without conversion and adaptation expenses, and Westinghouse did not offer to make the conversion. They admitted they did not meet the specifications.

Councilman Shanks offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 17, 1964, for one 9-inch Image Intensifier for Brackenridge Hospital; and,

WHEREAS, the bid of General Electric of Dallas, Texas, in the sum of \$12,175.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of Brackenridge Hospital, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of General Electric of Dallas, Texas, in the sum of \$12,175.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with General Electric of Dallas, Texas.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long stated she had read in the newspaper that the City of Austin had been offered a Girls' Work Camp under the Economic Opportunity Program, and it had been vetoed. According to the paper the telegram had been sent to the Mayor, and she had not heard anything about it nor had an opportunity to express an opinion. She said if such offers were received, the Council should be given the opportunity to study them, and have a study made to see if they wanted to go into it; and that nothing should be vetoed before the Council as a whole had an opportunity to look at it and know that the offer had been made. The Mayor asked if anyone in the City Hall had seen such a telegram. It was stated no telegram was received in the Mayor's office to this effect. Councilman Long expressed interest in this program; and said when the telegram arrives, she wanted to see it. The Mayor stated he would like to know of someone who has some information about a telegram being sent. Councilman Long said it was reported in the paper. It was brought out the Representative from the Washington Office had made a statement before the League of Women's Voters about this telegram, and that was the source of information for the newspaper publicity. Mayor Palmer stated he did not know that anyone had said any was not interested in any particular area. It had been stated publicly that two areas would be investigated, and that perhaps the Schools, would handle the school program, the University could handle the college program, and the County could handle the rural program; but as far as the City's saying it was not interested in any portion of it, that determination definitely has not been made by the Council at all. There was no vote on it. The Planning Engineer stated a telegram had been received that a meeting would be held in Washington, and it was his understanding

it referred to the same phase of the Job Corps. The Mayor stated anything in connection with this entire program, since there was so much involved, be channeled through one agency so that all information could be checked. Councilman LaRue had read the article and stated he checked with the Assistant City Manager who said they had not seen any telegram or communication. Councilman Shanks noted the news reported the Council enthusiastically endorsed this new program; it had not endorsed anything, but had asked that a study be made so it could analyze the program. Councilman Long stated she had definitely expressed an interest in the youth program, and she wanted the record to show that she was interested in Women's Corps. There are a lot of young ladies 16-22 that need jobs, and a lot of them need to be gotten out of their environment; and that she was heartsick when she read that article. The Mayor stated the whole matter would be investigated.

Councilman LaRue moved that MR. AMOS HEROLD be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. HEROLD discussed the Charter provision of \$1.00 per hundred dollars; stating the tax rate is \$1.15. The Mayor explained the \$1.00 was for the support of the general government, or for the General Fund, and that rate is \$.81. The students took part in general discussion of various governmental matters.

Councilman Shanks moved that MR. LES PHARES be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. PHARES made an observation that this was true democracy in action, as there was not a person on the Council that was drawing any compensation, and they are working for the people of the City. Their decisions are from their hearts, and they vote their convictions.

The City Manager called attention to the filing of the following monthly reports:

Street Paving Summary - December 7, 1964.
Fiscal Status of Voluntary Paving Program as of November 30th.
Status of Water and Sanitary Sewer Contract Projects as of
December 1, 1964.
Corporation Court Report for November, 1964.
Electric Utility Monthly Progress Report.

The City Manager referred to a request last week that a display be located at the Auditorium and Airport Terminal Building. Since then, it was requested that consideration be given only for the Airport, and the Director of Aviation had reported there was available space. The City Manager recommended that the display be redesigned. Councilman Shanks stated he definitely was in favor of placing the display in the Airport Terminal as well as the Auditorium as this was a City project. Councilman White was not in favor of placing these displays contrary to the usual provisions. If one Department wanted to put up something, then there would be another, and the halls would be filled with displays. Finally

after discussion of placing the display in the Airport Terminal only, and changing the design, Councilman Shanks moved that the Chamber of Commerce submit plans for Council approval and be given permission to install these displays both in the Auditorium and in the Municipal Airport. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer
Noes: Councilman White

The Mayor announced it was 11:00 A.M., and the hearing on an appeal for Special Permit granted to R. D. HARDIN for a pet shop and veterinary hospital at 4600 Burnet Road and 1400-1408 West 46th Street was open. MR. CARL HARDIN represented the proponents, stating this was an authorized use under the Zoning Ordinance, and all of the qualifications and recommendations of the various City Departments had been met. Many uses could have been made of this zoned property; but for many years, no one came forward with any other use. He reviewed the procedures through the Committee, the Planning Commission, a rehearing by the committee, and then approval of the Special Permit by a majority of the Planning Commission. He had filed copies of a brochure with the Council. Opposition was represented by MR. JOHN F. CAMPBELL, MR. C. E. ALVIS, and MR. HARRY D. POLLARD. MR. CAMPBELL filed a protest duly acknowledged, representing from 60 to 90% of the owners in proximity to the land in question and contended Article 10, 11e of the Statutes would apply in this case.

Mr. Campbell's protest covered items that no technical proof that the building would be sound proof had been submitted, nor floor plans, nor plans with regard to materials to be used; and there was no assurance the builder would comply with the architect's design. In answer to Councilman White's inquiry if those signing the petition lived within the required distance, Mr. Campbell replied they did. Mr. Campbell questioned the compatibility of this use in this particular location where there are office uses, a dental clinic and residential uses. He contended this veterinary hospital would have a psychological effect on property values, rentals of residences, and future uses of properties; and those having lived in the area for years would feel the ill effects. He pointed out the Planning Commission approved this by a three to two vote, and he asked the Council to read the statements made by the two voting against the special permit. MR. ALVIS pointed out the creation of the special permit and requirement of procedures one would go through showed definitely that a veterinary clinic was a type of operation that needed special consideration and isolation from the main stream of community life. He listed problems and nuisances of such an operation, stating the property owners felt in this particular location near the dental clinic that a veterinary hospital could be a health hazard, and that they probably would prefer an industry to this clinic. MR. HARRY POLLARD, representing 58-60 home owners stated the neighborhood was predominately residential; there was no need for this type of operation in this vicinity; the residents desired that such operation not come in there; there would not be a suppression of the noises from the clinic during the boarding or recuperation of the animals, and the noises would be disturbing, continuing into the evening; that there would be obnoxious odors, and this operation would be an inimical use of the property. Mr. Pollard said although the applicants may have complied with the requirements of the City, the opposition felt that more should be required of an applicant seeking this type of permit which would turn the area beyond the ordinary acceptable use in utilizing it for a veterinary clinic. He asked that certificates

from sanitary and acoustical engineers be filed concerning health provisions and noises. He expressed concern over the pet shop, as no set number of pets to be housed was mentioned, nor the kind of animal. DR. ROBERT LINGENFELTER, four doors from the proposed institution expressed opposition, based on unsanitation outside the building. MR. J.R. SPOLLIN, 4601 Rosedale Avenue, spoke as a home owner, stating that schools and parks had been built in this area in recognition of this section as residential. He referred to a report of the American Society of Planning Officials which he filed with the Planning Commission, on the study of veterinary clinic locations which should not be in a residential area; and if they are permitted, much caution should be required that proof be submitted that the operation would not be disastrous to the residential area, and that certificates from sanitary and sound engineers that there would be no health hazards or these obnoxious noises. MR. R. D. HARDIN called on the architect, who explained the plans for a building that would meet the requirements, and that would be an asset to the neighborhood. MR. BILL MULLENDARE gave technical data on sound proofing, and read a letter from Tracor stating the noise created by animals definitely could be controlled through the noise control measures which they recommended. DR. McLEOD, stated he had been a practicing veterinarian since 1949, and in Austin since 1952. In 1956, he was granted permission to operate in an existing building not designed as a veterinary clinic, and stated the only objector was the owner of a duplex behind the hospital who feared he could not rent them, however, for nine years, those duplexes have not been unrented. He had received no complaints from any of the neighbors. His practice would be concentrated on pets--not the larger animals. He pointed out in other states veterinary clinics were opened in the same building with dentists and physicians. Mr. Hardin stated the American Society of Planning Officials did write a report concerning zoning for animal hospitals, and the general theme supported a location such as this one 100%; and excerpts from the report were included in the brochure filed with the Council. MR. CARL HARDIN concluded their presentation asking that the permit be granted. Mayor Palmer stated the Council weighed all facts and circumstances very carefully in making its determination on cases as this, and the Council would like to review the property on the ground and give an answer at the earliest possible moment. DR. RUTH POOLE stated she was the only pedodontist within a long radius, and had been practicing in this locality for 10 or 12 years, and if she left this area, it would be hard to sell the place to another pedodontist next to a veterinary clinic, and she asked whether the benefit of the children in the neighborhood would come before that of the animal.

The Council recessed for lunch.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

Councilman Shanks moved that the recommendation of the Planning Commission be sustained, but with the request that the builders submit before the building is begun their plans and specifications showing that the noise element will be dealt with, and any other offensive elements will be taken care of. (The above special permit - R. D. Hardin for a pet shop and veterinary hospital at 4600 Burnet Road and 1400-1408 West 46th Street) The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Mayor Palmer announced that at a previous meeting with the Council, the City Manager went into quite a detailed presentation of the Utility Rates; and rather than to go into all of that information, the Council would now just open the meeting and let any interested person discuss the rates.

MR. AMOS HEROLD, interested citizen, made a number of inquiries, to which the City Manager's answers covered that two percent of the 6000 commercial customers used 40% of the water, paying \$.15 for 1,000 gallons at an average cost of \$.36. Residential customers were paying something over \$.35 per thousand gallons average for about half the water, whereas the commercial customers were paying around \$.20 per 1000 gallon average. The City Manager used as an example May 1964, where the 6000 commercial customers used 399,000,000 gallons, paying \$80,651; and the residential customers using 479,000,000 paid \$171,226. It was pointed out there was about a \$500,000 loss in a year on the commercial users, but the costs of residential customers are almost recovered. Mr. Herold discussed the refund of the deposits which had been recommended by the City Manager. No other citizens appeared to be heard.

Councilman Long expressed interest in refunding the deposits, and in whether or not the City would set up a connection fee, and how the people who did not pay would be penalized. She said the decrease in electric rate and increase in commercial rates were all right, as it seems to be equalizing the situation now that is not quite fair and equitable; but she wanted to be sure the Gas Company's policy of requiring a connection fee with a subsequent re-connect fee if the customer were cut off for lack of payment, would not be followed. The City Manager stated he was not discussing the "turn-on and turn-off" fee, but the fee for running the service line from the main out in the street to the curb, and this is a construction cost, and he was not proposing any change on this. His proposal was that a refund of deposits be made to those customers who had proved themselves to be regularly prompt paying customers. He explained the criteria would be a 12 months' payment experience of bills being paid before the discount date or before the second statement. The City Manager reported the trend of other utilities was toward refunding the deposits, and some cities likewise are making the refunds and were not experiencing any material difference in collections.

Councilman Shanks said in view of the wonderful gas contract negotiated recently, there would be an adjustment in rates, and some would be eligible for a reduction in residential electricity rates. The City Manager announced by the following week and thereafter, all purchases would be from Coastal States Gas Company, and all the gas would be purchased at 19.2¢, whereas now part of it is at 19.2¢ and part is around 23¢. The average price will continue to drop until it is all 19.2¢ at which time the field adjustment will be .16 of a mill as compared to the .8 this time last year. Councilman Shanks stated that reduction was more or less directly responsible due to the gas contract.

Councilman LaRue stated after quite a study of this utility matter, there seemed to be a misunderstanding, or an indication from what had been said that the commercial user of water had been paying perhaps less than half of his share of the load; but he noted the domestic service rate and the general service rate are identical. The Mayor said the rates were the same, but it was the volume that differed. Councilman LaRue said there was no advantage given to the individual class of consumer, as both rates were identical, and he discussed the method being proposed, comparing the commercial category with the domestic. Using the 12,500 gallon figure under the present and proposed domestic service rate of 32¢ per 1,000 gallons as an example, although the \$12,500 was not quoted

under the general service and he had either 8,000 gallons at 55¢ and 20,000 gallons at 50¢ by interpolation there would be a 52¢ per 1,000 gallons under the commercial rate as against 32¢ per 1000 under the domestic rate. He expressed concern over the change in the method of rating from what it had been in the past 13 years, as a commercial user would be paying for the same number of gallons some 20¢ a 1000 gallons more than some other individual. He pointed out that for a great number of years, most businessmen had been contributing to a fund to induce and persuade industry to come into Austin and those industries would find that someone else had a considerable lower rate for 1,000 gallons of water than they. He stated in the new proposal that the electric and water rate would more or less balance themselves out; but upon checking on what the increased cost of water supply would be to the commercial user in several cases, there was approximately 100% increase in the water rate to the commercial consumer. He pointed out the excess under the domestic service as it is now and is proposed is 15¢ all over 200,000 gallons; in the commercial it is 35¢. He suggested continuing the same method as had been used in the past and adding on the commercial rates wherever the domestic service rate stopped, as is the practice now. Southern Union handle their rates identically to the way the City handles its water rates today. Mayor Palmer said the one big difference was that the City was not trying to make 6% return on its investment, and all that was attempting to be done in this proposed rate was to recover the cost. If the little differential between the commercial rate in water is considered, then the electrical rate would be considered, and the same thing holds true--the first KW on general service rate is .05¢ where the proposal on residential service is still .06¢.

Mayor Palmer observed, in working on the industrial committee for many, many years, that the reduction in the electric rates as proposed here is a much greater attraction to proposed industry than this small amount of increase in the water rate. He said everyone on the Council has indicated the desire to do everything possible to make it very attractive for industry to come into Austin, and this was one reason Mr. LaRue suggested that a rate that could be negotiated be included on untreated water. Reviewing comparisons of cities, the Mayor noted on a 100,000 gallon figure, if Austin were in 4th place, the next city in third place was not but seven cents cheaper; and on 100,000 gallons that is a very, very small differential as far as other cities are concerned, and Austin still would compare very favorably with the greater majority of cities in the State under this proposed rate. He pointed out if the City were losing 11¢ on every 1,000 gallons sold, increased volume would never overcome that. He referred to the costs of water--pumping, purification, treatment, etc.; for larger line installation perhaps a 54" line for a commercial customer, as against a 2" line for a domestic service customer; and extra costs of treating the large portion of commercial water which is returned that has to be run through the sewage treatment plant before it is put back into the river, as against only about a third of the residential water being returned to the treatment plant. The argument might be when both water and sewer rates are being considered, the actual costs for handling the sewer may be three or four times as high as the cost of handling residential. This would be a justification for a differential in the basic rates.

Councilman Long's question concerned the minimum charge of \$1.25 then the next rate jumping up to 55¢ per 1,000 gallons for the next 8,000. The City Manager stated for 10,000 gallons, the customer would pay eight times 55¢ plus the minimum of \$1.25 for the first 2,000 gallons. That is 62½¢ a 1,000 gallons for the first 2000, and the rate then drops to 55¢.

The City Manager discussed the point brought out by the Mayor that a higher percentage of the water sold to commercial customers went down the sewer, and this was recognized throughout the country; also it is recognized commercial customers mostly are daytime customers only, and residential uses are heavier in the evening and night. The result of the commercial users' daytime operations is that there is a peak load from commercial and industrial uses in the daytime that requires larger lines and system than would be necessary if the use of water were spread out over a greater number of hours. This proposal he was making followed the pattern set by all the other cities for the combined water and sewer charge. He illustrated this rate by comparisons with other cities' commercial rates in the 100,000 gallon category ranging from \$33.00 to \$62.39 to Austin's \$23.55. If this proposal would discourage industry to move in, certainly industry would be more discouraged in any of these other cities where the differential is even greater. It was believed the reduction in the general high volume electric bill would tend to encourage industry far more than anything pertaining to the water rate, because most industry is more dependent on power than it is on water and sewer.

In answer to Councilman Long's inquiry as to who was going to build the water line, the City Manager stated it was proposed that the City build the line and amortize it, and that provisions for negotiations should be included in any policy in regard to raw water lines so that the City would be assured that the customers were going to stay long enough to amortize the cost of the line, or that they pay the cost, and the City refund it to them.

Councilman Long inquired about the 10,000 gallon customers, stating she believed the five cents after the minimum up to the 8,000 was too high, as this would catch the little business man in this category. The City Manager stated if a nickel were dropped from this category, it would amount to 40¢ a month; and for that volume, he did not believe this would hurt a small business. Proposed here also is that the electric rate would be reduced from six cents per KWH to five cents, and the small business man would have more than 40¢ savings in the electricity. The City Manager reported on a study made of filling stations on Guadalupe as to their water and electric bills under the new proposal, and listed a number of individual cases, i.e., one paid a minimum bill of \$12.00 whereas under the new water rate, he would pay \$12.24; for electricity the June bill was \$31.44 and it would be \$28.65 under the proposed rate. In other words his bill would have been approximately \$3.00 lower on the electric and \$.24 higher on the water. Other comparisons were made showing an overall savings.

The City Manager made an explanation of the manner in which the two ordinances were drawn--the one dealing with water rates includes water and sewer combined charges, water without sewer, and a charge for commercial customers outside the City, not in the Water District, which would be appropriate to go along with the rate of those within the City. The residential rate is the same as it is now. Brief discussion was held on commercial sewer connections outside the city and the sewer charge for those. Discussion was held on the electric rate ordinance, and the recommendation of a new rate on the residential for all electric home customers and the demand rate for general services.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 590910-F BY
PRESCRIBING AND LEVYING RATES AND CHARGES FOR
SALES MADE AND SERVICES RENDERED IN CONNECTION
WITH THE ELECTRIC LIGHT AND POWER WORKS AND SYSTEM

OF THE CITY OF AUSTIN FOR ALL-ELECTRIC HOMES AND GENERAL SERVICE USES OF ELECTRIC LIGHT AND POWER SOLD AND SERVICED BY THE CITY OF AUSTIN; REPEALING THOSE PARTS OF ALL ORDINANCES, RESOLUTIONS, AND ORDERS IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long², Shanks³, White, Mayor Palmer⁴
Noes: Councilman LaRue¹

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE WATER WORKS AND SYSTEM AND THE SANITARY SEWER SYSTEM OF THE CITY OF AUSTIN FOR ALL USES OF SUCH WATER AND SEWER CONNECTIONS AND FACILITIES; REPEALING ALL ORDINANCES, RESOLUTIONS, AND ORDERS IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long², Shanks³, White, Mayor Palmer⁴
Noes: Councilman LaRue¹

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Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried

by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

¹Councilman LaRue voting against the ordinances making the following statement concerning his vote:

"I would like to cite one of the examples why, as I pointed out originally, one of the privately owned utilities uses a method for pricing that I think is compatible with the same method that was being used by the City of Austin and I think it is far preferable to the one that is now proposed. The private utility is the Gas Company."

²Councilman Long made the following statement regarding her vote for the ordinances:

"I have a quarrel with the Gas Company in their principles with the way they charge people with a \$5.00 connection fee, and then charge them \$5.00 a second fee and never give it back, when they cannot afford to pay their bill. I think this is going to be an improvement. I think only 48 large users are going to be really affected, and I do not think those users will be hurt in any way because they are going to get a reduction in their electricity which they have been asking for. I think it is a very fine thing that the City Manager has recommended, and I want to commend him."

³Councilman Shanks made the following statement regarding his vote:

"I would like to make a special note of Mrs. Long's commendations to the City Manager; but I would also like to point out about the Gas Company--when you use gas it is shot up in the air; when you use sewage you have to shoot it down there to the filtering plant."

⁴Mayor Palmer made the following statement regarding his vote, first noting the importance, along with the comments that the members of the Council made, and stating this was about the only time he had tried to reduce something to writing so that the basic information could be made clear, and he read the following statement which was much in line with what the City Manager proposed last week:

"Austin Water and Sewer rates have not been adjusted since 1951. At that time, wages for the Water and Sewer Departments amounted to slightly over 4 cents per thousand gallons of water sold. Total operation and maintenance expenses amounted to approximately 8 cents per thousand gallons. Last year, our salary cost was approximately 9 cents per thousand

gallons and our total operation and maintenance expenses, including salaries, amounted to approximately 17 cents per thousand.

"To the operation and maintenance expenses must be added depreciation expense, interest expense, which amounts to approximately 20 cents per thousand gallons. To provide cost recovery only for water and sewer service would require a revenue of 37 cents per thousand gallons of water sold. We actually received 26 cents per thousand, so during the year the systems lost 11 cents per thousand gallons.

An examination of our revenues and accounts indicates that we are realizing from single family residence customers an average of 36 cents per thousand gallons of water, which closely approaches our cost recovery, while the revenue from other customers is only 20 cents per thousand. It thus appears our loss has been occurring in this group of accounts.

A comparison of our charges to those of other cities clearly shows why our services are operating at a loss. Our charges are way below those of any other city, even though our costs of treating, pumping and delivering water and collecting and disposing of sewage is about the same as the cost in other cities.

Our residential charges for electricity compare quite favorably with those of other cities, but a comparison of our General Service which is (non-residential) charges indicates that these charges are a little high particularly in the high consumption brackets. Therefore, we have concluded that we should provide a new water and sewer rate for the customers other than single family residence, which will result in recovery of service costs from those customers, and that we should provide some downward adjustment in the electric rates for the large volume users in this same group of customers. No adjustments, either up or down, in water and sewer or electric rates for the single family residential customers appears to be justified at this time.

The New General Service Water and Sewer rate will give us cost recovery for service to this group of customers. The effect of these rates compare favorably with the charges of other cities.

The New General Service Electric rate will place us in a much more favorable position in comparison with the General Service Electric rates of other cities. Also, the new rate together with the removal of most of the fuel cost of adjustment now being applied will offset the increase in water charges for a great many of the customers in this group.

The New General Service Electric Rate should be more attractive to prospective industry, and to further encourage location in Austin of new industries requiring large volumes

of processing water, we proposed to offer raw water to approved industrial areas on a negotiated basis, generally providing for recovery of about 4 cents per 1000 gallons per mile from our source of supply from customers of about one million gallons a day, where discharge of the water is pollution free and can be accepted in our drainage or storm sewer systems.

"To encourage more use of electricity in residences, we are adopting a new all electric rate schedule which we hope will prove to be helpful.

I want to also concur in the City Manager's recommendation that the City refund service deposits of customers who have established a good payment record with our utility department."

Councilman Long moved that the Electric Regulations be amended to include in the Electric Service Regulations the same provision for return of deposits which was included in Section 11 of the Water Rate Ordinance. (The deposits hereinabove prescribed may be refunded when the customer has established to the satisfaction of the City a record for prompt payment of obligations to the City; provided, however, that the City may at any time require a deposit to be made to secure payment of bills as they become due where reasonable cause exists for believing that such bills may not be paid.) The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer said that several years ago the Council looked at some acreage on Bull Creek, which is owned by Mr. Morris Moore who was in discussing a tax matter. He suggested that the Council go look at this property next Thursday.

The Council set 11:00 A.M. next Thursday, December 17, 1964, to hear the following tax appeals:

MRS. M. L. WIGINTON
MR. J. P. YEATES
MR. GLENN GARNER

Mayor Palmer read a letter from Mrs. Jule Moon, commending the Council in regard to the Austin Community's implementation of the Economic Opportunity Act of 1964.

Councilman Shanks moved that the request of the First English Lutheran Church for closing part of the alley, rerouting it and retaining easements, be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman Long voting against the motion with this statement:

"It is my policy unless all property owners sign to close an alley that I just don't vote for it. I may change my policy in the future under various circumstances, but they will have to be rare."

The Mayor read a letter from Mr. Henry W. Hall thanking the Council for devoting its time and energy in arriving at so fair a decision on his plea for relief on the assessment of taxes at 403 Braker Lane.

Mayor Palmer read a letter from MRS. A. H. ALBRIGHT regarding educating people not to be litter bugs, and reporting much advertisement is thrown into her front yard, and asking the Council to take under consideration an ordinance prohibiting this nuisance.

Mayor Palmer read communications from the National Association of Social Workers, signed by Dr. Charles W. Laughton and Mr. Malcolm Nulburn, President, Board of Directors, Austin Community Guidance Center, expressing belief that the appointment of the Community Council of Austin and Travis County would be an appropriate agency for coordinating committee proposals to be made within the Economic Opportunities Act of 1964.

Mayor Palmer announced the reappointment of MISS LOUISE HAYNE and MR. HUBERT JONES, to the Austin Housing Authority for a two year term extending to December 23, 1966, as they have done an excellent job. Councilman Shanks moved that the Mayor be authorized to exercise his own prerogative. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman LaRue moved that the City Manager be authorized to pay the City's Annual Membership and Service Fee in the United States Conference of Mayors for 1965. (\$500.00) The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated the Council looked at some City property on South 1st Street, south of Bouldin Creek and generally approved the idea and indicated it might be well to combine this tract with some other tract to create more interest in their sale. The City Attorney stated his department would look at some other property and bring in a packaged deal. The City Manager stated 1st Street would need to be widened, and 30' would be retained.

Councilman Long inquired of the City Attorney about the latest contract with Dr. McElhenney in connection with the property he owns in the Montopolis area, from whom easements were to have been acquired some four years ago. The City Attorney stated more information was needed on the downstream easements, and the hydraulic engineers are working on the field notes. Councilman Long stated ever time it rained those people were in the mud knee deep and the City should move out on this. The City Attorney stated the principle need was for run-off water from the swimming pool, and it was not realized there was another urgency about it. He stated this would be rushed up.

The City Manager reported on the south side of Westover Road, west of the Missouri Pacific Railroad there is a house and lot in the area where one of the entrance ways into the Missouri Pacific Boulevard will need to be developed. The City Attorney listed the appraisals; and after negotiating with the owner they had a signed contract for \$13,500. Councilman Shanks moved that the Council authorize the purchase at \$13,500. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated in connection with park land acquisition--not development--for the large north park, there was an opportunity to purchase most of the old Coxville Zoo property, not the front part, but the part adjoining the other property directly on the south and directly on the west. The owner would keep the front 400', and the City would have 100' frontage along his south line as access to the Old Dallas Highway. There will be 25 acres with improvements, which include the dams, lakes, and well. Councilman White inquired about the amount of acreage yet to be purchased. The Director of Recreation stated there was still some acreage needed to complete the whole project, which would be about 325 acres, and there is a little strip between these properties. Councilman White asked that all this acreage for this park be brought in and concluded.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Title VII of the Housing Act of 1961 provides for the making of grants by the Housing and Home Finance Administrator to States and local public bodies to assist them in the acquisition of permanent interests in land for open space purposes where such acquisition is deemed essential to the proper long-range development and welfare of the urban area in accordance with such plans for the allocation of land to such purposes; and,

WHEREAS, the City Council of the City of Austin authorized and directed its City Manager, W. T. Williams, Jr., to file an application under the above indicated act, which resolution is dated May 21, 1964; and,

WHEREAS, the City Council has now found that the public interests and the aims and goals of the open space land program can be better served by the acquisition of a more cohesive and integrated tract of land; and,

WHEREAS, it has therefore been found that such original application should be amended so as to alter the boundaries described in the original application; and,

WHEREAS, the City of Austin desires to acquire fee simple title to 293.62 acres of land lying along Walnut Creek to the north of the City of Austin, and to the west of U. S. Highway 81, which land is to be held and used for permanent open space land in accordance with the provisions of the Master Plan of the City of Austin as approved by the City Council on the 8th day of June, 1961; and,

WHEREAS, it is estimated that the total consideration to be paid for the acquisition of said fee simple title to said land would be \$230,000.00; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That the application to the Housing and Home Finance Agency be amended so that the amended application shall be for a grant in the amount authorized by Title VII of the Housing Act of 1961, which amount is presently estimated to be \$46,000.00, and that City will pay the balance of the consideration for the acquisition of such land and the total of all related costs from other funds available to it.

2. That the City Manager is hereby authorized and directed to execute and file such amended application with the Housing and Home Finance Agency, to provide additional information and to furnish such documents as may be required by said Agency, to execute such contracts as are required by said Agency, and to act as the authorized correspondent of the City of Austin.

3. That the proposed acquisition is in accordance with the Master Plan of the City of Austin adopted and approved by the City Council of the City of Austin for the preservation of permanent open space land and for the overall long-range development of the City of Austin, and that, should said grant be made, the City of Austin will retain said land for the uses designated in said application and approved by the Housing and Home Finance Agency.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long moved that the Council exercise the A. W. Cox option as soon as it can be exercised without prejudice to the City's right to Federal participation under the open space program. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Attorney reported the Building Official had been consulted about a building permit to spend about \$2,000 on a substandard building which the City will have to acquire, and it is owned by Mr. Fred Barkley. It is located in the Glen Oaks area on Rosewood Avenue. He listed the amount of valuation as placed on the tax roll and reported that Mr. Barkley said he would sell it at \$2,500. The lot is 54' on Rosewood Avenue and 133' deep. Councilman Shanks moved to buy the property as offered. (Parcel No. 207 11 0416) The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Attorney stated there was an indication that the Council might be interested in looking at some values around the hospital. The City Manager stated Councilman LaRue observed last week it would be well to look at the whole area and the estimated values. Mayor Palmer suggested that this be considered next Thursday. The City Attorney stated there were two property owners who said six months ago if they could sell the property in 1964, they would be willing to do so. It would be possible to meet that deadline.

The City Attorney reported that the City purchased property from MR. H. P. ALLEN, north of the Airport on 51st Street and the Director of Public Works is bringing Cameron Road around on the 51st Street short cut. There is a TV Repair Shop immediately east of this property on about a 50' x 142' lot. The owner has an option to buy the adjoining lots which run a distance about 220', and is interested in building a commercial building on this site. The City Attorney recommended that the City negotiate to acquire the property between 1119 and 1107 East 51st Street. Councilman Long moved that the City Manager be authorized to negotiate to acquire the property between 1119 and 1107 East 51st Street adjacent to the City property on 51st Street. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Not in the Council Room when the roll was called: Councilman White

Councilman Shanks moved that MR. HIRAM BROWN be moved from the Lay representative to the Electrical Engineer representative on the Electric Board, since he is an electrical engineer, and MR. JIM CROZIER be appointed to take Mr. Brown's present place on the Electric Board. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long asked that she be appraised of these vacancies beforehand, and stated usually these appointments were made in Executive Session.

The Mayor announced that the Council needed to consider a few more people on the Community Development Committee to work with the recertification of Austin's Workable Program and it had been suggested that representation be found from mortgage bankers, real estate people, etc., and he asked the Council to be thinking of some people and be ready to make these appointments before the end of the year.

There being no further business the Council adjourned at 4:55 P.M., subject to the call of the Mayor.

APPROVED

Lowell E. Palmer
Mayor

ATTEST:

Eliza Wassley
City Clerk